

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

ASPEN AMERICAN INSURANCE  
COMPANY,

Plaintiff,

vs.

WAGNER & LYONS, PLLC (f/k/a  
SULLIVAN, WAGNER & LYONS,  
PLLC); NATHAN WAGNER; ZANE  
SULLIVAN; JENNA LYONS; ARGO  
GROUP US, INC.; JON WILLIAMS;  
DARRELL LEE CONSTRUCTION,  
LLC; MADDUX REAL ESTATE  
GROUP, INC.; DAWN MADDUX;  
RALEIGH WARD; and SUPERIOR  
HARDWOODS AND MILLWORK,  
INC., d/b/a GRIZZLY FLOORING  
INSTALLATION,

Defendants.

CV 22–147–M–DLC–KLD

ORDER

Before the Court is Plaintiff’s Unopposed Motion to Dismiss with Prejudice. (Doc. 7.) The motion requests that the Court dismiss this action with prejudice, with all parties to bear their own attorney fees and costs with the exception of Superior Hardwoods and Millwork, Inc., whose attorney fees were paid as part of the sum of settlement in this matter. (*Id.* at 1–2.) The motion further states that the complaint in this matter was never served, and no defendant has appeared in the matter. (*Id.* at 2.)

Accordingly, IT IS ORDERED that the motion (Doc. 7) is GRANTED. The complaint (Doc. 1) is DISMISSED WITH PREJUDICE. The Clerk of Court is directed to close the case file.

DATED this 29th day of December, 2022.

A handwritten signature in blue ink, reading "Dana L. Christensen", is written over a horizontal line.

Dana L. Christensen, District Judge  
United States District Court